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COMMISSION ON HUMAN RIGHTS
Forty-sixth session

Agenda item 7 (c)

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

(c) Popular participation in its various forms as an important factor in development and in the full realization of all human rights

Written statement submitted by the International Federation Terre des Hommes, a non-governmental organization in consultative status (Category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[25 January 1990]

GE.90-15634/5835A

1. The International Federation Terre des Hommes considers that popular participation is one of the crucial factors in development and it endeavours to put this principle into effect in any action it takes in this regard. The right to popular participation involves appropriate forms of democracy, information, training and education, and any shortcoming in these areas can seriously hamper its realization.

2. This year being International Literacy Year, education, in particular, is an essential factor in development. Appropriate training not only increases young people's chances of finding satisfactory employment with a decent income, but makes it easier for them to become integrated into the community and not remain on the sidelines of public life but play a properly informed part in decision-making in areas of concern to them.

3. The Declaration on the Right to Development recognizes that the human person is the central subject of development and should be the active participant and beneficiary of the right to development. This is tantamount to saying that there can be no development without the participation of each and every person in the development process. All human groups have the right to develop in the manner chosen by them, even if that manner may appear to some to be at variance with contemporary trends.

4. Full participation of this kind means that certain fundamental rights must be guaranteed, such as the right of peoples to self-determination, the right to freedom of expression and the right freely to form associations with others. All human rights are therefore closely interrelated and the realization of economic, social and cultural rights is interdependent with that of civil and political rights.

5. The ultimate aim of development is to ensure an adequate quality of life for all individuals within their community or social group. This being so, each group knows or determines which form of development is best suited to its society and is able to find its own ways of realizing it, either alone or in co-operation with others.

6. There are no ready-made solutions and miracle cures where development is concerned. Dogmatic or inflexible approaches must likewise be avoided. Experience alone is what counts. Experience had repeatedly shown that when the necessary conditions exist for guaranteeing fundamental freedoms, especially freedom of expression and association, new initiatives to try to put an end to underdevelopment abound. Their success depends on the conditions referred to above and presupposes, among other things, that the population has attained a sufficient degree of organization and awareness to bring a project to fruition.

7. In an attempt to play a part in this process, the action of the Federation's members consists primarily in providing support for various development projects designed and managed by local organizations or groups. Participation by the people is one of the criteria which the Federation takes into account in selecting projects. The selected projects are aimed not at assisting the groups concerned but at making them more independent and developing their potential to enter into a responsible dialogue with the State authorities. Such potential can only be fully realized in a State in which the rule of law prevails. The selected projects are also intended to make the beneficiaries self-reliant. They are chosen with a view to possible use as models for other, regional projects.

8. Here is an example of a project supported by a movement that is a member of the Federation. In India, in Bengal, an organization has launched an education campaign for both children and adults. Its purpose is to help the rural population to manage their own affairs, eradicate illiteracy, promote community development and set up schools and libraries. Programmes for the training of group leaders, teachers and village heads are worked out accordingly. The organization also conducts campaigns against forced child labour.

9. The relationship built up between the members of the Federation and local project leaders is one of partnership. This relationship reflects the extent to which the communities with which the Federation works are organized both locally and nationally. Several examples of such partnerships demonstrate the vitality of many local communities and their ability to take control of their own affairs. They provide evidence of the variety of ways found by a community to ensure its own well-being.

10. However, the Federation and its partners encounter obstacles of all kinds when carrying out their projects. These obstacles reflect a situation in which the fundamental freedoms of those wishing to form associations are not guaranteed. It often happens that their attempts to do so are branded as "subversive" and "dangerous". Death threats and violent acts of all kinds, even crimes, committed against members of the groups are commonplace. Many of the Federation's partners have unfortunately had to pay for their attempts to organize such activities with their lives. They have been killed either by government forces or by forces operating outside government control or infiltrating the government apparatus.

11. Here are some examples, among others, of partners of the various member movements of the Federation who have been murdered in the past 12 months.

In Colombia, Daniel Espitia, a leader of a rural movement, was murdered in August 1989 in the presence of his children.

In the north-east of Brazil, Severina Rodrigues da Silva was killed during an attack by a landowner on a group of 70 rural workers. She was the mother of several children and was associated with a rural workers' movement.

In El Salvador, in November 1989, Norma da Herrera and five other women were killed by military personnel after five hours of interrogation. She was President of the Women's Institute and a women's rights activist.

In the Philippines, in a part of the country in which the sharp drop in sugar prices has left hundreds of thousands of workers unemployed, the members and leaders of the National Federation of Sugar Workers are constantly being threatened, killed and brought to trial. The membership of various local sections is dwindling as a result of death threats or the threatened destruction of what little property they own.

12. Repression of popular participation may also occur in other pernicious forms and result in subtle but repeated pressure, such as censorship of correspondence, close surveillance, diversion of watercourses, depriving people of the tools of their trade, or disappearance or arbitrary arrest. Here are some examples of prejudice suffered by partners of the Federation.

READER

In Colombia, Christian Roa, a trade union leader, has been reported as having disappeared since 27 June 1988; nothing has been heard of him since that date.

In South Korea, Lee Young Soon, President of the Association of Korean Working Women, was arrested in June and given a two-year suspended prison sentence.

In the territories occupied by Israel, the doctors of the Union of Palestinian Medical Aid Committees are constantly prevented from exercising their profession and are subjected to arbitrary arrest and threats of all kinds.

13. In conclusion, the persons and organizations working for development are often denied their right to popular participation. The same applies to many of the Federation's partners. This is why the Federation wishes to recommend that the Commission on Human Rights should invite all States concerned to:

(a) Respect the development work carried out by local social organizations without suspecting them a priori of subversion;

(b) Recognize that the activities of such organizations contribute to, and do not jeopardize, the development of their country;

(c) Encourage the efforts of these players to form groups and organizations instead of hindering them;

(d) Guarantee their right to popular participation by protecting them from abuses of all kinds.

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Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the World Federation of Democratic Youth, a non-governmental organization in consultative status (category I)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[7 February 1990]

The new military Government in the Sudan which took power on 30 June 1989 has proclaimed many decrees. These decrees violate the rights of the Sudanese people and affect the fundamental human rights, in particular, of young people. The decrees have:

(a) Dissolved the Constitution of the Sudan (transitional Constitution 1986), all political parties, mass organizations and all constitutional legalities representing the will of the people;

(b) Censored the mass media, and confiscated properties;

(c) Declared new emergency regulations and curfews, implemented Islamic laws - amputated (Hudad) which was suspended by the democratic Government, founded of extraordinary military tribunals, and have empowered special courts to try offenders.

ACTIONS TAKEN BY THE GOVERNMENT DECREES ON THE ABOVE MENTIONED

(a) Banning of the Sudanese Youth Organizations for their activities except the religious organizations;

(b) Detention of opposition leaders, with the number of detainees exceeding 1,000, including a large number of youth;

(c) Mohamed Ibrahim Nugd, Secretary-General of Sudanese Communist Party and Mr. Tegani Eltyeb, member of the secretariat of the Communist Party, who had been arrested since 30 June 1989, were taken to special prisons reserved for those awaiting execution. All political prisoners are threatened to death and torturing and are being held in poor conditions. The Government treated those detainees as hostages and have no rights to meet or to see their relatives;

(d) On 7 December 1989 the police opened fire on peaceful demonstration organized by the Khartoum University students. Three students were killed by the police. The names of the students are the following:

(1) Bashiar Eltyeb
(2) Eltaya Abu Agla
(3) Salim Mohamed Mahmoud

(e) Mr. Kamal Abu Elgasim, member of the Sudanese Youth Union, was arrested and taken to an unknown destination, tortured before being released in the evening of 4 January 1990;

(f) On 11 December 1989, Dr. Mamoun Ahmed Hassian was sentenced by special military tribunal to death under the accusation of chairing the meeting of the Sudanese Doctors' Union which called for a strike against the Government's policies towards trade unions. Dr. Sid Abdalla was sentenced to 15 years' imprisonment for the same offence;

(g) On 17 December 1989 Mr. Masdi Muhjoub Mohmed Ahmed, 30 years old, was executed after a special military tribunal for alleged possession of hard currency;

(h) The Southern and the Western citizens were denied entry into the capital Khartoum unless they present authorization explaining the reason and purpose of their trip to the capital.

SUDAN'S INTERNATIONAL LAW OBLIGATIONS

The Republic of Sudan has been a member of the United Nations since November 1957. The Universal Declaration of Human Rights adopted by the General Assembly of the United Nations on 10 December 1948 and the resolution adopted at the forty-second session of the United Nations Commission on Human Rights in 1986 which strongly condemned the taking of any person hostage. These declarations are guidelines for the interpretation of the provisions of the United Nations Charter relating to human rights and its obligation on every United Nations Member State. Certainly these declarations are violated by the military Government in Sudan. The articles of the Charter violated by the Sudanese Government are the following:

ARTICLE (9)

Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.

ARTICLE (10)

All persons deprived of their liberty shall be treated with humanity and with respect for inherent dignity of human person.

ARTICLE (11)

No one shall be imprisoned merely on the ground of inability to fulfil a contractual obligation.

ARTICLE (12)

Everyone lawfully within the territory of a State shall within that territory have the right to liberty of movement and freedom to choose his residence.

ARTICLE (18)

Everyone shall have the right to freedom of thought, conscience and religion.

ARTICLE (19)

Everyone shall have the right to hold opinions without interference.

ARTICLE (22)

Everyone shall have the right to freedom of association with others including the right to form and join trade unions for the protection of his interest.

In view of the above mentioned, the rule of law is not working in the Sudan to protect the citizens and rights of youth being restricted and violated by the offensive launched by military Government and affecting all political, economic, cultural and sporting fields. This, in particular, concerns the World Federation of Democratic Youth (WFDY).

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Agenda items 7 and 8

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORT TO ACHIEVE THESE HUMAN RIGHTS

QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT

Written statement submitted by non-governmental organizations in consultative status (category I): International Alliance of Women-Equal Rights, Equal Responsibilities, International Council of Women and Zonta International; in consultative status (category II): Arab Lawyers Union, Caritas Internationalis, Conference of European Churches, International Abolitionist Federation, International Association of Juvenile and Family Court Magistrates, International Catholic Child Bureau, International Council of Jewish Women, International Federation of Social Workers, International Federation of Women in Legal Careers, International Federation of Women Lawyers, International Federation Terre des Hommes, International Movement ATD Fourth World, International Movement for Fraternal Union Among Races and Peoples, Pax Christi, Pax Romana, World Association of Girl Guides and Girl Scouts, World Federation of Methodist Women, World Movement of Mothers and World Union of Catholic Women's Organizations; on the roster: International League for the Rights and Liberation of Peoples, Medical Women's International Association and World Federation of Public Health Associations

The Secretary-General has received the following communication which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

Presentation of the Wresinski Report of the French Economic and Social Council: "Extreme Poverty and Economic and Social Insecurity" published in the Official Journal of the French Republic, 1987, No. 6.

At present, the international community disposes of new means to progress in the fight against extreme poverty. The Wresinski Report was meticulously elaborated in a process of consensus between all social partners of a country, and in permanent consultation with the families, victims of extreme poverty. The Report provides realistic and feasible proposals for the implementation of coherent and prospective policies for the fight against poverty.

This Report provides a new and decisive approach to the problem of extreme poverty and social exclusion at country and world level. It sets the problem of extreme poverty in terms of human rights. It brings to light the interdependence and indivisibility of human rights. Poverty, by threatening all individual rights, represents an obstacle for persons to assume their collective responsibilities as citizens, parents, workers and electors.

The Report recalls that the life experience and thinking of the most destitute populations should be at the core of any strategy in the fight against poverty. This leads us to consider the populations concerned as the primary partners in the conception, realization and evaluation of any legislative programme or measure. The Report recalls the absolute necessity to implement the partnership of the poorest.

It proposes a constant and careful examination of the way in which programmes reach the poorest, how their participation is ensured and how human rights education is promoted, based on their life experience and aspirations.

The Report provides a modern definition of economic and social insecurity and of extreme poverty of individuals, peoples and States:

> "Insecurity ... the most often leads to extreme poverty when it affects several aspects of life, when it tends to be prolonged, becomes persistent and seriously compromises the chances of regaining one's rights and reassuming one's responsibilities independently and in a forseeable future." (Official Journal, p. 25)

The NGOs working on behalf of the poorest:

Stress the importance of Commission on Human Rights resolution 1989/10 entitled "Human rights and extreme poverty", of General Assembly resolution 44/148 entitled "Human rights based on solidarity", of resolution 1989/8 entitled "Reaching the poorest" adopted by the Executive Board of UNICEF and of resolution 1989/20 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities entitled "Realization of economic, social and cultural rights";

Express their confidence that the adoption of the Convention on the Rights of the Child by the General Assembly on 20 November 1989 (resolution 44/25) will bring about the mobilization of the entire international community in order to guarantee the fundamental rights of all children, beginning with those who are the most deprived of those rights.

The NGOS express the wish

- That the Commission on Human Rights request the Sub-Commission to prepare without delay a study on the indivisibility of human rights, emanating from the peoples living in conditions of extreme poverty, in order to develop effective measures that will ensure them the enjoyment of all their human rights and fundamental freedoms;

- That the Convention on the Rights of the Child enter into force as soon as possible.

The NGOs undertake

- To collaborate fully with United Nations bodies in the field of human rights for a better understanding of extreme poverty and the measures to be taken towards its regression, in particular by acting as intermediaries of the peoples concerned, of their experience, their thinking and their hopes;

- To pursue their commitment and presence in the field with the peoples themselves, thus opening up the ways towards measures that will guarantee their authentic participation.

COMMON DECLARATION

of the NGOS on the occasion of the 12th annual meeting of the NGO Fourth World Committee, 1 February 1990 at the Palais des Nations.

"Restitute human rights to the poorest"

Extreme poverty is destructive of fundamental human rights. In each of our countries, the poorest have neither access to economic, social and cultural rights nor civil and political rights as enshrined in the international human rights instruments. Deprived of everything, the poorest are, however, prime human rights defenders. Individuals and NGOs who struggle by their side witness their courage.

At present, the international community must face with renewed vigour the challenge to eliminate extreme poverty with the poorest themselves as partners. Policies which are not devised with the poorest cannot guarantee fundamental rights to all.

NGOs recall with vigour:

- the urgency to unite all forces to overcome extreme poverty and social exclusion in a process of consensus and solidarity across all borders;

- the necessity to associate the poorest populations themselves, as partners, in the implementation of all strategies; and

- the need to include the participation of the poorest populations by beginning with the understanding of their reality, thinking and aspirations.

Taking into account these imperatives, the NGOs have undertaken the study of the "Wresinsksi Report" of the French Economic and Social Council. */ This report offers realistic and feasible propositions for the implementation of coherent and prospective strategies for the fight against poverty. The NGOs themselves, within the context of their own experience, attempt to undertake the process as proposed in the Wresinski Report.

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*/ See presentation of the Report on p. 4.